REMARKS

Claims 1-7 are pending in this application. Among the pending claims, claims 3-4 were withdrawn for consideration, and claims 5-7 are added in this response. Reconsideration of the rejections in view of these amendments and the following remarks is respectfully requested.

Attached hereto is a marked-up version of the changes made to the claim by the current amendment. The attached page is captioned **"Version with Markings to Show Changes Made."**

(1) Claim 1 was rejected under 35 U.S.C. 102(e) as being anticipated by Sakamoto et al. (U.S. 6,129,902).

Contrary to the examiner's statement that the concentration of "2.3%" is calculated, which falls within the claimed range, this concentration does not correspond to the claimed range. The descriptions of "2.2 mol/l aqueous nickel nitrate solution" and "0.05 mol/l aqueous cobalt nitrate solution" are about the concentration of the solution used for preparing an electrode, and are not about the concentration of a metal molar ratio of cobalt contained in the main active material layer to nickel contained in the main active material layer according to the present invention. Sakamoto et al. do not disclose such a range, and in addition, the range defined in the present invention cannot be calculated from the disclosure of Sakamoto et al. Therefore, the rejection is unsupported and should be withdrawn. Removal of the rejection is respectfully requested.

(2) Claim 2 is allowable if it is rewritten into independent form.

While the applicant believes that claim 1 is not anticipated by Sakamoto et al. as described above, claim 2 is amended into independent form.

(3) Claims 5-7 are added. The basis of the new claims is found in original claims 1 and 2.

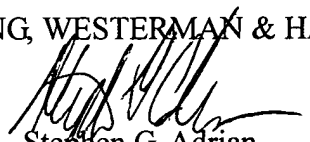
(4) It is submitted that nothing in the cited references, taken either alone or in combination, teaches or suggests all the features recited in each claim of the present invention. Thus, all pending claims are in condition for allowance. Reconsideration of the rejections, withdrawal of the rejections and an early issue of a Notice of Allowance are earnestly solicited.

If, for any reason, it is felt that this application is not now in condition for allowance, the Examiner is requested to contact Applicant's undersigned attorney at the telephone number indicated below to arrange for an interview to expedite the disposition of this case.

In the event that this paper is not timely filed, Applicant respectfully petitions for an appropriate extension of time. The fees for such an extension or any other fees which may be due with respect to this paper, may be charged to Deposit Account No. 01-2340.

Respectfully submitted,

ARMSTRONG, WESTERMAN & HATTORI, LLP



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Enclosures: Version with markings to show changes made
Amendment Transmittal

VERSION WITH MARKINGS TO SHOW CHANGES MADE 09/813,998

IN THE CLAIMS:

Claim **2** has been amended as follows:

2. (Amended) [The nickel electrode according to Claim 1,]

A nickel electrode for an alkaline storage battery, comprising:

a conductive porous member; and

an active material with which the conductive porous member is filled, the active material including (a) a main active material layer substantially made of nickel hydroxide, the main active material layer containing cobalt in a state of a solid solution, and (b) a compound layer that contains at least one element selected from the group consisting of calcium, aluminum, strontium, scandium, yttrium, and lanthanoide series, the compound layer being formed on a surface of the main active material layer,

wherein a metal molar ratio of cobalt contained in the main active material layer to nickel contained in the main active material layer is in a range of 0.5% to 3.0% inclusive, and

a metal molar ratio of the at least one element contained in the compound layer to nickel contained in the active material is in a range of 0.3% to 5.0% inclusive,

wherein the metal molar ratio of the at least one element selected from the group consisting of calcium, aluminum, strontium, scandium, yttrium, and lanthanoide series is at least 20% in the compound layer formed on the surface of the main active material layer.